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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues
Against:

Case No. 4150

13 **Rebekah Cokins Keechler**
14 **P.O. Box 344**
15 **Carnelian Bay, CA 96140**

STATEMENT OF ISSUES

16 Applicant/Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Virginia Herold (Complainant) brings this Statement of Issues solely in her official
21 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about May 18, 2011, the Board of Pharmacy, Department of Consumer Affairs
23 received an application for Pharmacist License and examination from Rebekah Miller Cockins
24 Keechler (Respondent). On or about May 11, 2011, Rebekah Miller Cockins Keechler certified
25 under penalty of perjury to the truthfulness of all statements, answers, and representations in the
26 application. The Board denied the application on June 14, 2011.

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JURISDICTION

3. This Statement of Issues is brought before the Board of Pharmacy (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 4300 of the Code states in pertinent part:

"(c) The board may refuse a license to any applicant guilty of unprofessional conduct. The board may, in its sole discretion, issue a probationary license to any applicant for a license who is guilty of unprofessional conduct and who has met all other requirements for licensure. The board may issue the license subject to any terms or conditions not contrary to public policy, including, but not limited to, the following:

"(1) Medical or psychiatric evaluation.

"(2) Continuing medical or psychiatric treatment.

"(3) Restriction of type or circumstances of practice.

"(4) Continuing participation in a board-approved rehabilitation program.

"(5) Abstention from the use of alcohol or drugs.

"(6) Random fluid testing for alcohol or drugs.

"(7) Compliance with laws and regulations governing the practice of pharmacy.

5. Section 4301 of the Code states in pertinent part:

The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been procured by fraud or misrepresentation or issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the following:

(n) The revocation, suspension, or other discipline by another state of a license to practice pharmacy, operate a pharmacy, or do any other act for which a license is required by this chapter.

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any provision or term of this chapter or of the applicable federal and state laws and regulations governing pharmacy, including regulations established by the board or by any other state or federal regulatory agency.

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2 6. Section 480 of the Code states in pertinent part:

3 "(a) A board may deny a license regulated by this code on the grounds that the
4 applicant has one of the following:

5 "(2) Done any act involving dishonesty, fraud, or deceit with the intent to
substantially benefit himself or herself or another, or substantially injure another.

6 "(3) (A) Done any act that if done by a licentiate of the business or profession in
7 question, would be grounds for suspension or revocation of license.

8 FIRST CAUSE FOR DENIAL OF APPLICATION
9 (Unprofessional Conduct)

10 7. Respondent's application is subject to denial under section 4300 (c) and 480 (a)(3)
11 in conjunction with 4301 (n) and (o) in that respondent held pharmacist licenses which were
12 disciplined in the State of Nevada and Oregon.

13 (a) On or about April 27, 2007, the Nevada State Board of Pharmacy in *Nevada State*
14 *Board of Pharmacy v. Rebekah S. Keechler, R.Ph.*; Case No. 7-03-RPH-N, placed her Pharmacist
15 license on probation on terms which included among other requirements: the suspension of her
16 pharmacist license for an indefinite period of time but no less than one year from the date of the
17 order; respondent was required to continue treatment with PRN-PRN, and to make restitution to
18 Scolari's. The Nevada Board of Pharmacy found that respondent violated their statutes by
19 obtaining controlled substances, namely Hydrocodone 10/325 tablets without a valid prescription
20 for her and her husband's personal use. Respondent complied with her probation which was
21 terminated on April 6, 2011.
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23
24 (b) On or about February 4, 2009, before the Board of Pharmacy State of Oregon, *In the*
25 *Matter of the Pharmacist License of Rebekah M.C. Keecher*; Case No. 2007-0253, respondent
26 entered a consent order in which the Oregon board imposed probation for a period equal to the
27 Nevada Board's probation and required conditions which among other requirements included:
28

1 license suspension for six months, payment of a \$5,000 civil penalty, \$2,000 was stayed, and
2 required that she only be employed in Oregon should she meet with the Board's Compliance
3 Director and that the Compliance Director is satisfied that respondent's employment would be in
4 the public interest.

5 (c) On April 12, 2000, before the Board of Pharmacy State of Ouyeregon, *In the Matter*
6 *of the Pharmacist License of Rebekah Keechler*; Case No. 99-0318, respondent's Oregon license
7 was reprimanded for dispensing methyprednisolone tablets, a steroid, in place of dexamethasone
8 tablets, another steroid.
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10 SECOND CAUSE FOR DENIAL OF APPLICATION
11 (Dishonest Act)

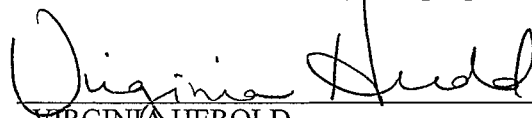
12 8. Respondent's application is subject to denial under section 480 (a) (2) in that she
13 admitted in the Nevada action that she obtained controlled substances, namely 12,000
14 Hydrocodone tablets without a valid prescription for her and her husband's personal use.
15

16 PRAYER

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
18 and that following the hearing, the Board of Pharmacy issue a decision:

- 19 1. Denying the application of Rebekah Miller Cockins Keechler for a Pharmacist;
20 2. Taking such other and further action as deemed necessary and proper.

21 DATED: 2/29/12

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23 VIRGINIA HEROLD
24 Executive Officer
25 Board of Pharmacy
26 Department of Consumer Affairs
27 State of California
28 Complainant

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